IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4854 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

GUJARAT STATE ROAD TRANSPORT CORPORATION

Versus

RAMESHBHAI B BAROT

Appearance:

MR HARDIK C RAWAL for Petitioner

MR JS BRAHMBHATT for Respondent No. 1

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 15/09/2000

ORAL JUDGEMENT

#. Rule. Learned Counsel for the respondent waives service of rule.

#. The petitioner, State Road Transport Corporation challenges by way of this petition the award of the

Labour Court Nadiyad in Ref. (LCN) No.192 of 1996 whereby the respondent is ordered to be reinstated without backwages.

#. The Learned Counsel for the petitoner submitted that in view of the serious nature of the misconduct alleged against the respondent and the facts proved on record the respondent was required to be punished more severely. However, it is fairly stated that, even if, the order to reinstate is maintained the respondent should be made to suffer the punishment of stoppage of increments. The lelarned counsel for the respondent submitted that the loss of backwages is more than sufficient punishment in the facts of the case and, at the most, the further punishment of stoppage of two increments may be imposed to meet the ends of justice.

#. Accordingly, the petiton is partly allowed and the impugned order is modified to the extent that the respondent shall suffer further punishment of stoppage of two increments with future effect. The Learned Counsel for the petitoner states that the order shall be implemented within a period of four weeks from today. Rule made absolute in the terms as above, with no order as to costs.

kks